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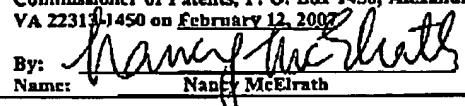
Appln. No. : 09/912,122
 Applicant : MAKOWER, Joshua
 Filed : July 24, 2001
 TC/A.U. : 3738
 Examiner : ISABELLA, David J.

Docket No. : P2004 DIV1
 Customer No. : 28390
 Title : CATHETER AND RELATED DEVICES FOR FORMING
 PASSAGEWAYS BETWEEN BLOOD VESSELS OR OTHER
 ANATOMICAL STRUCTURES

Confirmation No.: 4515

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SECOND NOTICE OF APPEAL

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

A Notice of Appeal was previously filed in relation to this application along with the required fee. After Applicant's appeal brief was filed, the Examiner voluntarily withdrew the finality of the prior office action and issued a new final office action. In view of this, no further fee is seen to be due in connection with this reinstatement of the appeal. MPEP §1204.01 However, if any fee is properly deemed to be due in connection with the filing of this Second Notice of Appeal, the Commissioner is authorized to deduct such fee and any other fees due from Deposit Account No. 50-0878.

Expedited Processing
Application No. 09/912,122
Amd. Dated:
Reply to Final Office Action mailed October 11, 2006

If the Examiner feels that a telephone conference would could potentially eliminate the need for this appeal, the Examiner is invited to contact Applicant's counsel by telephone at (949) 450-1750.

Respectfully submitted,

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2/12/07

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